

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,)
)
Plaintiff,)
)
)
v.)
)
)
ATTICUS, LLC,)
)
Defendant.)

ORDER

This matter is before the court on Plaintiff's motion to seal certain documents filed in connection with Defendant's Motion for Enforcement of the Protective Order. Plaintiff seeks to seal this information on the ground it contains sensitive business information. (Mot. Seal [DE #637] at 1.) Plaintiff has filed proposed redacted versions of the filings, omitting the portions it contends should not be available to the public.

For the reasons set forth in Plaintiff's motion and supporting memorandum, the court finds that the public's common law right of access is outweighed by Plaintiff's interests in protecting against competitive and/or financial harm to Plaintiff were such information made public. *In re Knight Publ'g Co.*, 743 F.2d 231 (4th Cir. 1984). Public notice of Plaintiff's request to seal and a reasonable opportunity to object have been provided by the filing of its motion. Defendant filed a response in opposition to Plaintiff's motion to seal (*see* Def.'s Resp. Opp. Mot. Seal [DE #648], but it has since withdrawn its opposition (*see* Jt. Stip. Dismissal [DE #655]

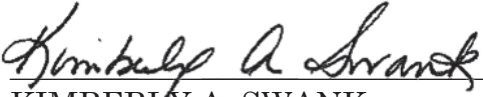
at 1 (withdrawing opposition to Plaintiff's motions to seal)) and no other objections have been filed with the court. Plaintiff has narrowly tailored its request to remove only information that is sensitive and confidential and not otherwise publicly known. Furthermore, the parties have since settled all matters in controversy between them. Consequently, the sealed information will not be the subject of any ruling by the court. Plaintiff's motion is therefore allowed.

CONCLUSION

For the foregoing reasons, it is ORDERED as follows:

1. Plaintiff's Motion to Seal [DE #637] is GRANTED.
2. The following documents shall be SEALED:
 - a. Defendant's Motion for Enforcement of the Protective Order [DE #633]. A redacted version is available at DE #638-3;
 - b. Defendant's Memorandum in Support of its Motion for Enforcement of the Protective Order [DE #634]. A redacted version is available at DE #638-4; and
 - c. Exhibit 2 [DE #635-3]. A redacted version is available at DE #638-5;
3. The clerk shall UNSEAL the following documents:
 - a. Proposed order [DE #633-1];
 - b. Declaration of Robert J. Scheffel [DE #635]; and
 - c. Table and Exhibits 1, 3, 4-7 [DE ##635-1, 635-2, 635-4 to 635-8.

This 29th day of December 2022.


KIMBERLY A. SWANK
United States Magistrate Judge